

Filed Electronically

Patent Application
Docket No. 16785.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Karl Scherman et al.

Application No.: 10/595,795

Art Unit
1793

Filed: August 15, 2006

Conf. No.: 6850

For: EXHAUST GAS CATALYST COMPOSITION

Examiner: Pritesh D. Darji

Customer No.: 22913

Attorney Docket No.: 16785.1

PETITION FOR RECONSIDERATION OF HOLDING OF ABANDONMENT
UNDER MPEP 711.03 AND 711.03(b)

Mail Stop: PETITIONS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby petitions for reconsideration of the holding of abandonment under MPEP 711.03 and 711.03(b) of United States Patent Application Serial No. 10/595,795, which a notice of abandonment was issued for on August 3, 2011. The Applicant does not believe that the application is in-fact abandoned under the law and believes that a fee is not due for this petition as the abandonment was due to USPTO error. However, should the USPTO deem a fee is due, the Commissioner is hereby authorized to charge any additional fees or credit any overpayment in regard to this matter to Deposit Account No. 23-3178.

Applicants timely filed Amendment E via facsimile transmission on April 22, 2011 and received a fax confirmation that the PTO received the amendment. Thus, Applicant believes that the response via facsimile transmission on April 22, 2011 constitutes a proper response. Attached hereto is the (1) Notice of Abandonment mailed August 2, 2011, (2) Affidavit of Prior Submission of Amendment E, (3) Amendment E Filed April 22, 2011, (4) Certificate of Facsimile Transmission, and (5) Fax Transmission Report. In view of the foregoing Applicant respectfully requests that the holding of abandonment be withdrawn.

Dated this 30th day of August, 2011.

Respectfully submitted,

/Andrew S. Hansen/

ANDREW S. HANSEN
Registration No. 56,370
Attorney for Applicant
Customer No. 22913
Telephone No. (801) 533-9800

APPENDIX

- (1) Notice of Abandonment mailed September 16, 2009
- (2) Fee Transmittal from October 27, 2008
- (3) Notice of Appeal filed October 27, 2008
- (4) Pre-Appeal Brief Request for Review filed October 27, 2008
- (5) Printout of the Image File Wrapper table of contents for Serial No. 10/940,697 as of
October 15, 2010